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NO. 004

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#### **COMMENTS:**

Re.

U.S. Patent Application Serial No. 09/992,901

Title: GENETICALLY MODIFIED PLANTS

HAVING MODULATED BRASSINOSTEROID SINGALING

Inventors: Michael M. Neff et al.

Our Ref: 53279-20006.10

#### Attached are the following:

- 1. Transmittal (1 Page)
- 2. Communication in Response to Interview Summary (2 pages)

NO. 004---P. 2-

MAR 1 4 2005

Hugasina Gazar		. `	U.S. Patent and trad	PTO/SB/21 (inproved for use through 07/31/2006, OMB 0851	
Under the Paperwork Reduction Act of 1885, no persons are required to res  TRANSMITTAL  FORM  (to be used for all correspondence after initial filling)			Application Number	Official Unice & display a vale OND	
			Filing Date	November 14, 2001	
			First Named Inventor	Michael M. NEFF	
			Art Unit	1638	
			Examiner Name	C. Collins	
Total Number of Pages in This Submission 3			Attorney Docket Num	532792000610	
	EN	CLOSURES	Check all that ap	pply)	
1 – –	smittal Form	Drawing(a)	•	After Allowance Communication to Group	
	Attached	Licensing-related Papers		Appeal Communication to Board of Appeals and interferences	
Amendm	ent/Reply	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
Afte	er Finat	Petition to Convert to a Provisional Application		Proprietary Information	
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter	
Extension	Extension of Time Request		daimer	X Other Enclosure(9) (please Identify below):	
Express Abandonment Request		Request for Refund		Communication in Response to Interview Summary (2 pages)	
Information Disclosure Statement  Cartified Copy of Priority		CD, Number of CD(s)		2. Facsimile Cover Sheet	
Document	(s)				
Response to Missing Parts/ Incomplete Application		Remarks	•		
Response to Missing Parts under 37 CFR 1.52 or 1.53			•	· .	
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īm r dividual name	MORRISON & FOERSTER LLP (Customer No. 20872)				
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Dated: March 14, 2005 Signature:

Docket No.: 532792000610

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Michael M. NEFF et al.

Application No.: 09/992,901

Group Art Unit: 1638

Filed: November 14, 2001

Examiner: C. Collins

For: GENETICALLY MODIFIED PLANTS

HAVING MODULATED BRASSINOSTEROID

SIGNALING

### COMMUNICATION IN RESPONSE TO INTERVIEW SUMMARY

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Interview Summary (Paper No. 0205) dated March 3, 2005 for which a response is due April 3, 2005. Accordingly, this Communication is timely filed.

The interview was conducted by telephone on February 28, 2005. Applicants thank Examiner Collins for her helpful discussions. All pending claims were discussed. Applicants discussed the standards for disclosure to meet the written description requirement for claims reciting nucleotide sequences that hybridize to SEQ IDs under various hybridization conditions or have some percentage identity with SEQ IDs. Applicants discussed with the Examiner the state of the art regarding P450 enzymes in terms of both enzymatic activity and substrate binding.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

af-1890990

Application No.: 09/992,901

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Docket No. 532792000610

with the filing of this document to <u>Deposit Account No. 03-1952</u> referencing docket no. <u>532792000610</u>. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 14, 2005

Respectfully submitted,

Otis Littlefield

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